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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RECEIVED**  
JUN 17 2003  
OFFICE OF PETITIONS

In re application of:

Edward L. BAYIATES

Appln. No.: 09/478,156

Art Unit: 2172

Filed: January 5, 2000

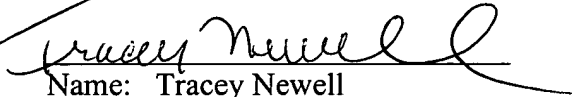
Examiner: TRUONG, CAM Y T

For: STORING AND RETRIEVING THE  
VISUAL FORM OF DATA

Docket No.: NGM-00201

**CERTIFICATE OF MAILING**

I hereby certify that the foregoing document is being deposited with the United States Postal Service, postage prepaid, first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 13, 2003.

  
Name: Tracey Newell

**SUBMISSION TO CORRECT SMALL ENTITY STATUS UNDER 37 C.F.R. 1.28(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

Applicant respectfully submits this paper to correct the previous good faith establishment of Small Entity Status for the above-referenced patent. Applicant respectfully requests that any error in establishing Small Entity Status be excused in accordance with 37 C.F.R. 1.28(c). On May 1, 2000, \$1607.00 in fees were paid in connection with a response to Notice to File Missing Parts ("Missing Parts Notice") for the above-referenced patent application along with a Declaration Claiming Small Entity Status ("Small Entity Status Declaration"). Small Entity Status was previously established in good faith and Small Entity fees were previously paid in

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01 FC:1001	750.00 OP
02 FC:1201	2016.00 OP
03 FC:1051	130.00 OP

good faith. Copies of the Notice to File Missing Parts, check, accompanying Transmittal, postcard, and Small Entity Status Declaration are enclosed herewith.

In accordance with 37 C.F.R. 1.28(c), Applicants respectfully submit herewith a check for **\$1550.00** to cover the deficiency owed resulting from the previous erroneous payment of Small Entity fees.

In accordance with 37 C.F.R. 1.28(c) (ii), set forth below is an itemization of the total deficiency payment of **\$1550.00** enclosed herewith.

**Basic Statutory Filing Fee**

Fee for non-small entity at time Small Entity fee was paid in error	\$690.00
Current fee for non-small entity (current fee increase)	\$750.00
Small Entity fee actually paid	\$345.00
Deficiency Owed	
(\$750.00 - \$345.00)	<b>\$405.00</b>

**Additional Independent Claim Fee**

Fee for non-small entity at time Small Entity fee was paid in error	
(24 extra independent claims @ \$78.00 for each independent claim)	
	\$1872.00
Current fee for non-small entity	
(24 extra independent claims @ \$84.00 for each independent claim)	
	\$2016.00
Small Entity fee actually paid	\$936.00
Deficiency owed	
(\$2016.00 - \$936.00)	<b>\$1080.00</b>

Surcharge Under 37 C.F.R. 1.16(e)

Fee for non-small entity at time Small Entity fee was paid in error	\$130.00
Current fee for non-small entity	\$130.00
Small Entity fee actually paid	\$ 65.00
Deficiency owed	
(\$130.00-\$65.00)	\$ 65.00

TOTAL DEFICIENCY

\$1550.00

Although we believe that we have appropriately provided for any fees due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to/from our **Deposit Account No. 03-1721**. Two originally-executed copies of this form are being submitted.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-248-4042.

Respectfully submitted,  
CHOATE, HALL & STEWART



Anne E. Saturnelli  
Registration No. 41,290

Date: June 13, 2003

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